

1 ARLO H. SMITH #96971
2 66 San Fernando Way
3 San Francisco, CA 94127
4 (415) 681-9572
5

6 Attorney for Matthew D. Sawyer
7 Beverly Kennedy
8 Ruben Hernandez, Jr.
9 R.I. Refrigeration Supply Co., Inc.
10 Janele Skinner-Weill, Winan' Wichapi
11 To, Inc., Theodore C. Weill,
12 Terry P. Weill
13 Universal Wearparts, Inc.
14

15
16 U.S. District Court, Northern District of California
17

18 Rodney Martin et al.
19

NO. CV 07-05747 EMC

20 Plaintiffs
21
22
23
24

**OBJECTION TO PURPORTED
MOTIONS OF PLAINTIFF TO
STRIKE DEFENSE PLEADINGS
AND/OR ENTER DEFAULT
JUDGMENT**

25 vs.
26
27

28 D. Andrew Byrne et al.,
29

30 Defendants
31
32
33
34

Hearing: Jan. 23, 2008
10:30 AM
Courtroom C
Magistrate Chen

35 Defendants object to various motions purportedly filed by plaintiff for the
36 following reason: Though this case is subject to mandatory electronic filing,
37 plaintiff failed to electronically file said pleadings, thereby preventing defense
38
39 counsel for obtaining or reviewing same online. At the same time, plaintiff has
40
41 failed to serve said pleadings on defense counsel by other methods, and has
42
43 failed to file certificates of service demonstrating proper service. Since defense
44
45 counsel has not been properly served he cannot and will not respond to said
46
47

1
2 motions on their merits.
3
4

5 DATED: 1/9/08
6

7 ARLO H. SMITH , Attorney for Matthew D.
8 Sawyer, Beverly Kennedy, Ruben Hernandez,
9 Jr. , R.I. Refrigeration Supply Co., Inc.
10 Janele Skinner-Weill, Winan' Wichapi
11 To, Inc., Theodore C. Weill,
12 Terry P. Weill, Universal Wearparts, Inc.
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47